

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 15th day of March, 2010 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Karen Mayer, Council Member

ABSENT: Vickie Abrego Council Member
Phillip Hyatt Council Member

ADMINISTRATIVE
PERSONNEL PRESENT: Reggie Winters, City Manager
Allen Lawrence, City Attorney
Yvonne Stonebraker, City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT: Frank Truitt, City Inspector
James Hale Utility Foreman
Rickie Kilgore Fire Chief
Sandy Roddel Finance Director

OTHERS PRESENT: Sandy Kubek, Donald and Jeanie Brummett, Keith Butler, Tess Sparks, Rosemary Vega/Chamber of Commerce, Michael Cary/Progress, Marylin Rimer/Herald, Ann Melton, Ross McElwee and Capt. Tom Doran.

There may have been others present who did not sign in.

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on March 15, 2010.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Mayer gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

ITEM 3. CONSIDER AND ACT ON APPROVING THE MINUTES OF MARCH 1, 2010.

Council Member Mayer stated the minutes of March 1, 2010 were incomplete.

Council Member Mayer made a motion to table Item #3. Pro Tem Attaway seconded the motion and the motioned carried unanimously.

ITEM 4. CONSIDER AND ACT ON A REQUEST FROM TESS SPARKS, DIRECTOR OF THE ARANSAS PASS FOR YOUTH, INC. FOR A DISCOUNTED POOL ADMISSION FOR THE 2010 SUMMER PROGRAM.

Aransas Pass for Youth Director Tess Sparks stated the City of Aransas Pass gave the Aransas Pass for Youth free admission to the pool for their 2009 Summer Program. She stated the scholarship funding for this year is even lower and is requesting a discounted pool admission for the 2010 Summer Program.

Pro Tem Attaway made a motion to approve the request from Tess Sparks, Director of the Aransas Pass for Youth, Inc., free pool admission for the 2010 Summer Program. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 5. CONSIDER AND ACT ON A REQUEST FROM RONNIE’S MARINE TO HOLD A “BOAT DEMO DAY” AT CONN BROWN HARBOR ON MARCH 27, 2010.

City Manager Winters stated Victor Galvan, of Ronnie’s Marine, had faxed a copy of the Certificate of Insurance. He stated Mr. Galvan would fence off an area where the boats would be displayed, requested having a couple of boats in the water for test drives and would clean up at the end of the demonstration.

Mayor Pro Tem Attaway made a motion to approve the request from Ronnie’s Marine to hold a “Boat Demo Day” at Conn Brown Harbor on March 27, 2010. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 6. PUBLIC HEARING ON THE REQUEST OF JAMES AND BRENDA BYRD FOR A

CONDITIONAL USE PERMIT TO OPERATE A USED CAR LOT. THE PROPERTY IS DESCRIBED AS 9.167 ACRES OUT OF PORTION OF FARMLOT 9 AND 10, LANDBLOCK 1, T.P. MCCAMPBELL SUBDIVISION, 2180 W. WHEELER STREET, ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.

Mayor Tommy Knight opened the Public Hearing at 7:04 p.m. on the request of James and Brenda Byrd for a Conditional Use Permit to operate a used car lot. The property is described a 9.167 acres out of portion of Farmlot 9 and 10, Landblock 1, T.P. McCampbell Subdivision, 2180 W. Wheeler Street, Aransas Pass, Texas San Patricio County. The property is zoned (GB) General Business District.

Mayor Knight asked was there anyone to speak in favor of the request? He asked was anyone present to speak in opposition of this request? Seeing none he closed the Public Hearing at 7:05 p.m.

ITEM 7. CONSIDER AND ACT ON THE REQUEST OF JAMES AND BRENDA BYRD FOR A CONDITIONAL USE PERMIT TO OPERATE A USED CAR LOT. THE PROPERTY IS DESCRIBED AS 9.167 ACRES OUT OF PORTION OF FARMLOT 9 AND 10, LANDBLOCK 1, T.P. MCCAMPBELL SUBDIVISION, 2180 W. WHEELER STREET, ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.

Mayor Pro Tem Attaway made a motion to approve the request of James and Brenda Byrd for a Conditional Use Permit for two (2) years to operate a used car lot with conditions set forth by the Planning and Zoning Commission. The property is described as 9.167 acres out of portion of Farmlot 9 and 10, Landblock 1, T.P. McCampbell Subdivision, 2180 W. Wheeler Street, Aransas Pass, Texas San Patricio County. The property is zoned (GB) General Business District.

ITEM 8. PUBLIC HEARING ON THE REQUEST OF KEITH BUTLER FOR A CONDITIONAL USE PERMIT TO OPERATE A BAR, LOUNGE OR TAVERN. THE PROPERTY IS DESCRIBED AS BLOCK 1 100' X 140', TRACK 5, MCCAMPBELL SUBDIVISION, 0.32 ACRES, 2104 W. WHEELER STREET, ARANSAS PASS, TEXAS SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.

Mayor Knight opened the Public Hearing at 7:06 p.m. on the request of Keith Butler for a Conditional Use Permit to operate a bar, lounge or tavern. The property is described as Block 1, 100' x 140', Track 5, McCampbell Subdivision, 0.32 acres, 2140 W. Wheeler Street, Aransas Pass, Texas, San Patricio County. The property is zoned (GB) General Business District.

Mayor Knight asked was there anyone to speak in favor of the request?

Mr. Keith Butler stated the bar would be a beer and wine bar only. He stated that hard liquor would not be sold but could be brought in by the patron or customer. Mr. Butler stated there would not be any 8-liner machines.

Mayor Knight asked was anyone present to speak in opposition of this request? Seeing none he closed the Public Hearing at 7:07 p.m.

ITEM 9. CONSIDER AND ACT ON THE REQUEST OF KEITH BUTLER FOR A CONDITIONAL USE PERMIT TO OPERATE A BAR, LOUNGE OR TAVERN. THE PROPERTY IS DESCRIBED AS BLOCK 1 100 X 140, TRACK 5, MCCAMPBELL SUBDIVISION, 0.32 ACRES, 2104 W. WHEELER STREET, ARANSAS PASS, TEXAS SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.

Council Member Mayer made a motion to approve the request of Keith Butler for a Conditional Use Permit for two (2) years to operate a bar, lounge or tavern. The property is described as Block 1, 100' x 140', Track 5, McCampbell Subdivision, 0.32 acres, 2140 W. Wheeler Street, Aransas Pass, Texas, San Patricio County. The property is zoned (GB) General Business District. Mayor Pro Tem Attaway seconded the motion and the motion carried unanimously.

ITEM 10. CONSIDER AND ACT ON THE REQUEST OF ARANSAS PASS LITTLE LEAGUE FOR SPONSORSHIP OF \$200.00.

City Manager Winters stated for a \$175.00 sponsorship, the Little League will put a sign up in the outfield with the City of Aransas Pass on it. He stated for a \$200.00 sponsorship, the Little League will put a sign up in the outfield with the City of Aransas Pass and the city logo on it.

Mayor Pro Tem Attaway made a motion to table Item #10. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 11. CONSIDER AND ACT ON ORDINANCE NO. 2010-3972, AN ORDINANCE AMENDING

SECTION 24-3, OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS, TEXAS, TO CHANGE THE DEFINITION OF SUBDIVIDER AND/OR DEVELOPER; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

City Manager Reggie Winters stated the amendment to Section 24-3 of the Code of Ordinances would make the developer of platted land responsible for the cost of water, sewer and streets to said property.

Mayor Pro Tem Attaway made a motion to approve Ordinance No. 2010-3972, an Ordinance amending Section 24-3, of the Code of Ordinances of the City of Aransas Pass, Texas, to change the definition of subdivider and/or developer, providing a repealer clause, and providing an effective date. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 12. CONSIDER AND ACT ON ORDINANCE NO. 2010-3973, AN ORDINANCE AMENDING SECTION 29-25 OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS, TEXAS; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Reggie Winters stated the amendment to Section 29-25 of the Code of Ordinances would make the water account holder responsible for payment of tampering, altering or injuring any part of the City waterworks, supply system or meter.

Council Member Karen Mayor made a motion to approve Ordinance No. 2010-3973, an Ordinance amending Section 29-25 of the Code of Ordinances of the City of Aransas Pass, Texas, providing a repealer clause and providing for an effective date. Mayor Pro Tem Attaway seconded the motion and the motion carried unanimously.

ITEM 13. CONSIDER AND ACT ON APPROVAL OF RENEWING A CELL SITE LEASE AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND VOICESTREAM PCS II CORPORATION, DBA T-MOBILE.

Mayor Pro Tem Attaway made a motion to table Item #13. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 14. REVIEW AND DISCUSS FINANCIAL REPORTS.

City Manager stated due to the economy, the Sales Tax Revenue was down along with tax collection.

ITEM 15. CONSIDER AND ACT ON AWARDING A CONTRACT FOR BANKING SERVICES FOR THE CITY OF ARANSAS PASS.

Mayor Knight stated four proposals were received in response to the "Request for Proposal" for banking services for the City. He stated they were American Bank, Frost Bank, Prosperity Bank and Value Bank.

Mayor Pro Tem Attaway asked Finance Director Sandy Roddel how long the City had banked with Prosperity Bank.

Finance Director Roddel stated four (4) years. She stated Prosperity Bank does not charge the City any service fees.

Council Member Mayer asked if Bank of America submitted a bid.

Finance Director Roddel stated no.

Mayor Pro Tem Attaway made a motion to award a contract for four years to Prosperity Bank for banking services for the City of Aransas Pass. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 16. CITIZEN'S COMMENTS.

There were none.

ITEM 17. ADJOURNMENT OF MEETING.

Mayor Pro Tem Attaway made the motion to adjourn the meeting. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:24 p.m.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary